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REMARKS/ARGUMENTS

Claims 1, 2, 4-7, 9-12, 14, and 15 are pending in this application. For at least the reasons stated below, Applicants assert that all claims are in condition for allowance.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 1, 2, 4-7, 9-12, 14, and 15 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Polk (U.S. Patent No. 5,946,669), in view of Single Parent Central (www.singleparentcentral.com, date range: 10/13/1999-1/19/2000). The cited references, either alone or in combination, do not teach or suggest all the claim limitations as required by MPEP § 2143, nor is there any motivation to modify the references to teach or suggest all the claim limitations as required by MPEP § 2143. For at least these reasons, this rejection is inappropriate and Applicants respectfully request that Examiner withdraw the § 103 rejection.

The present invention generally provides for a network-based child financial support framework for facilitating communications between employers, custodial parents, and non-custodial parents, comprising the steps of:

- (a) maintaining a database including information on a received financial support payment utilizing a network;
- (b) providing general information relating to the financial support payment utilizing the network;
- (c) calculating a proper amount of the financial support payment based on a profile of a user and based on an amount paid to date from a non-custodial parent to a custodial parent, wherein the profile includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses, wherein a first portion of the profile is received from the user across the network and a second portion of the data is received from the database, and wherein the user may change the data in the second portion of the profile; and
- (d) displaying a history associated with the financial support payment.

Because the combination of *Polk* and *Single Parent Central* do not teach or suggest every element of every claim and because there is no motivation to modify the references to teach every element of every claim, Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

Specifically, Applicants draw Examiner's attention to claim element (c), which recites the following distinct limitations:

- a) "a proper amount of the financial support payment" is calculated based on (1) a user profile, and (2) the amount paid from the non-custodial parent to the custodial parent;
- b) the user profile "includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses"; and

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- c) the user profile includes two portions: (1) the first portion "is received from the user across the network, and (2) the second portion "is received from the database"; and
- d) the second portion of the profile may be changed by the user.

Polk and *Single Parent Central* do not teach or suggest at least these limitations as described below.

(a) The References Fail to Teach or Suggest Calculating a Proper Amount of the Financial Support Payment Based on a Both User Profile and an Amount Paid

The present claimed invention recites, *inter alia*, "a proper amount of the financial support payment" is calculated based on (1) a user profile, and (2) the amount paid from the non-custodial parent to the custodial parent. The cited references, either alone or in combination, fail to teach or suggest at least these features of the present claimed invention.

In the March 5, 2004, Office Action, Examiner states that *Polk* fails to expressly disclose the limitations of claim element (c) and that *Single Parent Central* may teach these limitations. *See* p. 3. However, Examiner subsequently insinuates in the same Office Action that *Polk* actually does disclose these limitations. *See* p. 5.

Applicants agree with the assessment that *Polk* does not teach or suggest the limitations of claim element (c). Specifically, *Polk* describes a payment and disbursement system, usable for transmitting child support obligations from a non-custodial parent to a custodial parent through an employer. *See* Abstract, Col. 7, lines 30-36. *Polk* discusses computing the amount of child support payment due, Col. 17, lines 57-66, and indicating merely whether a payment has been made, Col. 15, lines 54-59. This teaching clearly fails to disclose calculating a financial support payment based on the combination of two distinct factors.

Even assuming *arguendo* that *Single Parent Central* discloses calculating the payment based on the first factor, the user profile, as alleged by Examiner, *Polk* still fails to teach calculating the payment on the latter factor, the amount paid by the non-custodial parent. *Polk* only describes tracking whether the payment has been made. Nowhere does the reference describe using such payment as one of two distinct factors used to calculate an amount due.

For at least these reasons, the cited references, each alone or in combination, fail to teach or suggest every element of claims 1, 2, 4-7, 9-12, 14, and 15, and Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

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(b) The References Fail to Teach or Suggest a User Profile Including Profile Information

The present claimed invention further recites that the user profile "includes data relating to at least one of income, number of children, basic support, insurance premium, child care cost, and additional expenses." The cited references, either alone or in combination, fail to teach or suggest at least these features of the present claimed invention.

With respect to the user profile, the § 103 rejection merely states, "Single Parent Central discloses a Child Support Calculator (pgs. 8-9), which is based on a wide variety of non-custodial and custodial information." Although the *Single Parent Central* website mentions a "Child Support Calculator" and includes a hyperlink to another website (<www.divorcelawinfo.com>), *Single Parent Central* does not teach or suggest a user profile, nor does it describe calculating financial support payments based on a user profile as claimed.

A user "profile" is generally understood by those skilled in the art to be a type of data object or data structure that contains information or data about the user. The website that actually supports the "Child Support Calculator," namely <www.divorcelawinfo.com>, merely displays a webpage form where a user may apparently enter information into predefined text-boxes. This teaching implies a user enters data into fields. This does not, however, constitute a "profile" in any generally accepted definition of the term, even if calculations are performed on the data entered into the fields, because there is no disclosure of any sort of data object or structure containing data about a user. Merely entering data does not teach a "profile" as claimed.

Additionally, the form on <www.divorcelawinfo.com> provides no information as to its functionality that would teach one how to practice claims 1, 2, 4-7, 9-12, 14, and 15. Further, nowhere does the form describe how the <www.divorcelawinfo.com> website arrives at the calculated child support amount nor where any of the information is derived from other than the text-boxes displayed thereon. The reference does not teach or suggest calculating any information based on a user profile.

For this additional reason, the cited references fail to teach or suggest every element of claims 1, 2, 4-7, 9-12, 14, and 15, and Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

(c) The References Fail to Teach or Suggest a User Profile Received from Both a User and a Database

The present claimed invention further recites that the user profile includes two portions: (1) the first portion "is received from the user across the network, and (2) the second portion "is received

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from the database." The cited references, either alone or in combination, fail to teach or suggest at least these features of the present claimed invention.

Polk discloses a credit database indicating the issue of a child support payment from a non-custodial parent, Col. 14, lines 21-30, and a disbursement database containing prior disbursements data, including listings of non-custodial parents, custodial parents, and information regarding child support payments due by the non-custodial parents to the custodial parents, Col. 14, lines 48-57. These are also the teachings of *Polk* alleged in the § 103 rejection to disclose the claim limitation at hand. However, these teachings of *Polk* are directed to storing data in a database. These teachings do not describe "receiving payment information from the user" as suggested by Examiner; rather these teachings note that such transactions are recorded from bank and state records. Additionally, nowhere does the reference describe in any way whatsoever actually using the data stored in these databases to subsequently calculate the amount of financial support due as claimed.

Furthermore, *Polk* clearly does not teach or suggest the first portion of the profile that is received across a network from a user, where the profile includes data relating to income, number of children, etc. Even assuming *arguendo* that *Single Parent Central* discloses collecting the type of data that would reside in the first portion of the user profile, the reference does not teach or suggest actually creating or maintaining a user profile with such data, as discussed above. Also, there is no suggestion in either reference or the combination thereof to create a user profile that receives from two distinct sources as claimed.

For these additional reasons, the cited references fail to teach or suggest every element of claims 1, 2, 4-7, 9-12, 14, and 15, and Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

(d) The References Fail to Teach or Suggest Allowing the User to Change the Portion of the Profile in the Database

The present claimed invention further recites that the second portion of the profile may be changed by the user. The cited references, either alone or in combination, fail to teach or suggest at least this feature of the present claimed invention.

Polk discloses an employee authorizing an employer to withhold funds from his or her salary for child support obligations, and the employer converting the withholding obligation into a FEDI file. Col. 15, lines 7-59. However, this type of information, namely the authorization of a withholding in the FEDI file, does not teach changing data in a user profile or, more specifically,

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changing data about income, number of children, basic support, insurance premiums, child care cost, and additional expenses.

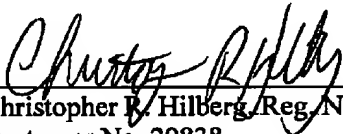
Further, even assuming that the "second portion of the profile" reads on the withholding authorization in the FEDI file, this so-called "second portion of the profile" is completely distinct from the earlier alleged "second portion of the profile," the disbursement database. Stated otherwise, the § 103 rejection first alleges that "second portion of the profile" reads on the disbursement database disclosed in *Polk* at Col. 14, lines 48-57, and it is subsequently alleged that "second portion of the profile" reads on a withholding authorization in a FEDI file disclosed in *Polk* at Col. 15, lines 7-59. However, these two media storage—the disbursement database and the FEDI file—have distinct functionality and format and are not combinable without destroying the function of the *Polk* reference.

For these additional reasons, the cited references fail to teach or suggest every element of claims 1, 2, 4-7, 9-12, 14, and 15, and Applicants respectfully request that Examiner's § 103 rejections be withdrawn.

CONCLUSION

Applicants submit that all pending claims are allowable and respectfully request that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7386. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Reference 60021-359701).

Respectfully submitted,

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